

## MEMO ENDORSED

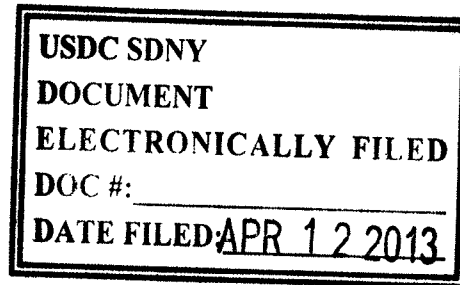


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April 12, 2013



**BY E-MAIL**

Honorable Alison J. Nathan  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 615  
New York, New York 10007  
E-Mail: NathanNYSDChambers@nysd.uscourts.gov

SO ORDERED: 4/12/13

HON. ALISON J. NATHAN  
UNITED STATES DISTRICT JUDGE

Re: *U.S. Bank National Association, solely in its capacity as Trustee, v. Birmingham USPS, LLC, et al.*  
12-CV-1515

Dear Judge Nathan:

We are counsel to U.S. Bank National Association successor-in-interest to Bank of America, N.A. etc., plaintiff in the above-referenced action. We write, with the consent of D. James Barton, Esq., counsel to the defendants, and Matthew J. Press, Esq., counsel to the Receiver, to respectfully request an extension of date by which all parties must be ready for trial pursuant to the Civil Case Management Plan and Scheduling Order entered herein from April 15, 2013 until May 15, 2013. No prior extension of this date has been requested. ] *SO ORDERED*

The parties have been engaged in negotiations for a possible settlement of this matter, which have been lengthy and detailed as this matter involves numerous properties, and respectfully submit that this adjournment is necessary to permit the parties to complete negotiations in an effort to come to a resolution. We have attached a Proposed First Amended Civil Case Management Plan and Scheduling Order for the Court's consideration.

We remain available should the Court have any concerns.

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

By:   
Keith M. Brandofino, Partner

Attachment

*No further extensions  
will be granted.*

cc: D. James Barton, Esq. (By e-mail)  
Matthew J. Press, Esq. (By e-mail)  
Eric J. Berardi, Esq. (By e-mail)  
Tamara A. Daniels, Esq. (By e-mail)